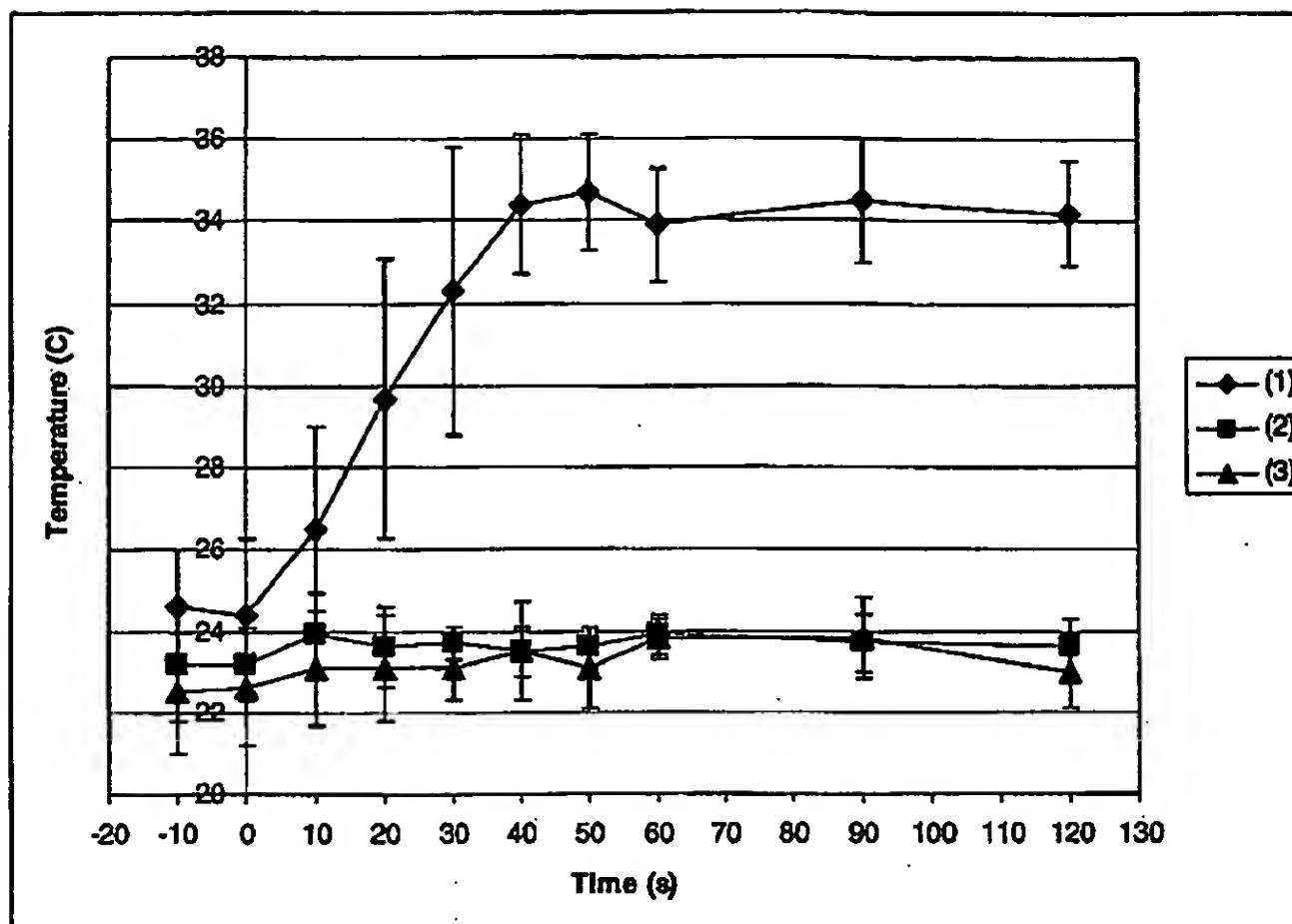


DECLARATION UNDER 37 C.F.R. §1.132

I, Eric Thor Fossel, hereby declare that:

1. I am currently President and CEO of Strategic Science & Technologies, LLC. Before leaving to found Strategic Science & Technologies, LLC in 1994, I was employed by Harvard Medical School as a professor since 1976.
2. I am the inventor of U.S. Pat. Appl. Ser. Nos. 08/932,227 and 10/201,635. U.S. Pat. Appl. Ser. No. 10/201,635 is a continuation-in-part of U.S. Pat. Appl. Ser. No. 08/932,227. I have read and understood the specifications of both patent applications, the claims as pending in each case, and the most recent office actions issued in each case (on April 23, 2008 in U.S. Pat. Appl. Ser. No. 08/932,227, and on April 22, 2008 in U.S. Pat. Appl. Ser. No. 10/201,635).
3. I have a financial interest in the issuance of these applications as patents. U.S. Pat. Appl. Ser. Nos. 08/932,227 and 10/201,635 are both owned by Strategic Science & Technologies, LLC, of which I am the President and CEO, as well as being a stockholder.
4. Evidence that the methods as currently claimed are operable in each of the applications is as follows. These tests were conducted by Consumer Products Testing, Inc. on behalf of Strategic Science & Technologies, LLC.
5. Three compositions were tested: (1) a cream containing L-arginine (12.5 wt%) and a hostile biophysical environment comprising sodium chloride (5 wt%), magnesium chloride (5 wt%), and choline chloride (10 wt%); (2) a cream containing a hostile biophysical environment comprising sodium chloride (5 wt%), magnesium chloride (5 wt%), and choline chloride (10 wt%), but not containing L-arginine; and (3) a cream containing L-arginine (12.5 wt%) (but not containing a hostile biophysical environment comprising sodium chloride, magnesium chloride). These compositions fall within the scope of the claims as currently pending.
6. Each of these compositions was applied to a number of test subjects, as follows: 24 subjects for composition (1), 6 subjects for composition (2), and 6 subjects for composition (3). The test subjects were chosen by response to a newspaper advertisement, and their finger temperatures had to be measured to be less than 23° C in order to be selected for testing. In each case, the test subject and the person applying the composition did not know what the actual composition was. The composition was applied to one hand of the subject, and the temperature of the hand of the subject was then measured periodically thereafter using an infrared thermometer. The temperature of the hand was also measured immediately after applying the composition (i.e., 0 minutes) and 10 minutes prior to applying the composition (i.e., -10 minutes).
7. The following data were obtained, shown in graphical form. Error bars in each case represent standard deviations.



8. These data show that composition (1) resulted in a statistically significant increase in the temperature of the hands of the subjects that were tested. In contrast, compositions (2) and (3) did not result in any statistically significant increases in temperature. Accordingly, these data show that composition (1) is effective for increasing temperature of the hands of the subjects, and such increases in temperature persist for at least 120 minutes.

9. As the hand temperature is related to blood flow through the hands, it can be seen that composition (1) was effective at increasing blood flow, while compositions (2) and (3) were ineffective at increasing blood flow. Accordingly, since positive results were obtained using compositions that fall within the teachings of each patent applications, these data show that only composition (1) is able to increase blood flow and temperature of the hands.

10 All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Eric Thor Fossel
President & CEO
Strategic Science & Technologies, LLC
58 Charles Street
Cambridge MA 02141

10/17/08
Date